

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MAJOR CALHOUN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:07CV1284 CDP
)	
MISSOURI DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	


MEMORANDUM AND ORDER

On November 9, 2009, I entered summary judgment in favor of defendants and taxed costs to plaintiff. Defendants timely filed their motion for bill of costs, which I granted on December 3, 2009 in the amount of \$473.90. Plaintiff now asks me to reconsider my Order awarding costs to defendants. Plaintiff argues that he should not be taxed for the cost of taking his deposition because it was taken by defendants and he was allowed to file this suit in forma pauperis. Plaintiff was properly assessed the costs associated with taking his deposition because defendants necessarily obtained it for the successful defense of this case. Plaintiff's in forma pauperis status does not exempt him from payment of costs under Fed. R. Civ. P. 54(d). See Van Orden v. Blake, 2009 WL 500840, *1 (E.D. Mo. Feb. 27, 2009) (holding that "costs shall be allowed as a matter of course to

the prevailing party and may be taxed against an inmate to whom the court has granted in forma pauperis status.”) (internal alteration and quotation marks omitted).

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for reconsideration
[#102] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 16th day of December, 2009.